

1 Douglas J. Campion (SBN 75381)
2 doug@djcampion.com
3 LAW OFFICES OF DOUGLAS J. CAMPION, APC
4 409 Camino Del Rio South, Suite 303
5 San Diego, California 92108
Tel: 619.299.2091
Fax: 619.858.0034

6 Jay Edelson (Admitted *pro hac vice*)
jedelson@edelson.com
7 Rafey S. Balabanian (Admitted *pro hac vice*)
rbalabanian@edelson.com
8 Benjamin H. Richman (Admitted *pro hac vice*)
brichman@edelson.com
9 EDELSON PC
10 350 North LaSalle Street, Suite 1300
Chicago, Illinois 60654
Tel: 312.589.6370
Fax: 312.589.6378

12 [Additional Counsel on Signature Block]

13 *Counsel for Plaintiffs and the Proposed Class*

15
16 **UNITED STATES DISTRICT COURT**
SOUTHERN DISTRICT OF CALIFORNIA

17 JEFFREY MOLNAR, WESLEY
18 THORNTON, AILEEN MARTINEZ,
19 CHIQUITA BELL, TEYIA BOLDEN, and
ANTOINETTE STANSBERRY,
individually and on behalf of all others
similarly situated,

21 *Plaintiffs,*

22 *v.*

23 NCO FINANCIAL SYSTEMS, INC., a
Pennsylvania Corporation,

24 *Defendant.*

26 Case No. 3:13-cv-00131-BAS-JLB
27 **STATUS REPORT REGARDING**
ONGOING SETTLEMENT
NEGOTIATIONS

28 Judge: Hon. Cynthia A. Bashant
Magistrate: Hon. Jill L. Burkhardt

Courtroom: 4B

Plaintiffs Wesley Thornton, Aileen Martinez, Chiquita Bell, Teyia Bolden, and Antoinette Stansberry (collectively “Plaintiffs”), jointly with Defendant NCO Financial Systems, Inc., (collectively “the Parties”) by and through their undersigned counsel, respectfully provide the Court with the following status report regarding their August 24, 2015 mediation and their ongoing settlement efforts, pursuant to this Court’s order dated August 19, 2015 (ECF No. 196).

On August 24, 2015, the Parties participated in an all-day private mediation before the Honorable Morton Denlow of JAMS (Chicago). Although the Parties did not reach a settlement that day, with the assistance of Judge Denlow, they made substantial progress toward the resolution of this action. At the close of the day, the Parties further agreed to continue their discussions, hopeful that they would build upon the progress made during the mediation session. At this time, the Parties remain engaged in settlement discussions and are cautiously optimistic that a settlement is possible and that they will be able to reach an agreement on principal terms of such a resolution (or determine that they will be unable to do so) within thirty (30) days.

In light of the foregoing, and pursuant to this Court's August 19, 2015 (ECF No. 196), the Parties propose the following schedule of revised dates and deadlines for completion of the pertinent pre-trial requirements:

- a. Pretrial disclosure requirements of Fed. R. Civ. P. 26(a)(3) by **November 13, 2015**;
- b. Local Rule 16.1.f.4.a actions by **November 6, 2015**;
- c. Local Rule 16.1.f.6.a actions by **November 13, 2015**;
- d. Objections to Fed. R. Civ. P. 26(a)(3) disclosures by **November 13, 2015**;
- e. Proposed pretrial order in the form prescribed by Local Rule 16.1.f.6.c by **November 20, 2015**;
- f. Final pretrial conference before the Honorable Cynthia Bashant on **Monday, December 7, 2015**;

- 1 g. All motions *in limine* by **December 21, 2015**;
- 2 h. All responses to motions *in limine* by **January 8, 2016**;
- 3 i. Joint proposed jury instructions, proposed verdict form, *voir dire*
4 instructions, and statement of the case by **January 8, 2016**;
- 5 j. Exchange of final exhibit and witness lists by **January February**
6 **1, 2016**;
- 7 k. Hearing on motions *in limine* on **January 29, 2016** at **10:30 a.m.**;
- 8 l. Trial on Tuesday, **February 9, 2016** at **9:00 a.m.**

9 The Parties respectfully submit that the above revised case schedule will permit
10 them the time necessary to determine whether a settlement can be reached and if not,
11 will not needlessly delay the efficient progression of the litigation. Should the Parties
12 ultimately reach an agreement on the principal terms of a settlement prior to any of the
13 aforementioned dates, however, they will promptly file a further status report
14 informing the Court of the same and proposing a schedule for presentation of the
15 proposed settlement to the Court.

16 Respectfully Submitted,

17 **JEFFREY MOLNAR, WESLEY THORNTON,**
18 **AILEEN MARTINEZ, CHIQUITA BELL,**
19 **TEYIA BOLDEN, and ANTOINETTE**
20 **STANSBERRY**, individually and on behalf of all
21 others similarly situated,

22 DATED: September 8, 2015

23 By: s/ J. Dominick Larry

24 **EDELSON PC**

25 Jay Edelson (Admitted *pro hac vice*)
jedelson@edelson.com

26 Rafey S. Balabanian (Admitted *pro hac vice*)
rbalabanian@edelson.com

27 Benjamin H. Richman (Admitted *pro hac vice*)
brichman@edelson.com

28 Christopher L. Dore (Admitted *pro hac vice*)
cdore@edelson.com

J. Dominick Larry (Admitted *pro hac vice*)

1 nlarry@edelson.com
2 350 North LaSalle Street, Suite 1300
3 Chicago, Illinois 60654
4 Tel: 312.589.6370
Fax: 312.589.6378

5 **LAW OFFICES OF RONALD A. MARRON,**
6 RONALD A. MARRON
7 SKYE RESENDES
8 ALEXIS M. WOOD
KAS L. GALLUCCI
651 Arroyo Drive
9 San Diego, California 92103
Telephone: (619) 696-9006
Facsimile: (619) 564-6665

12 **LAW OFFICES OF DOUGLAS J.**
13 **CAMPION, APC**
14 DOUGLAS J. CAMPION
15 *doug@djcampion.com*
16 409 Camino Del Rio South, Suite 303
17 San Diego, California 92108
Telephone: (619) 299-2091
Facsimile: (619) 858-003

18 Keith J. Keogh (Admitted *pro hac vice*)
19 *keith@keoghlaw.com*
20 **KEOGH LAW, LTD.**
21 55 W. Monroe Street, Ste. 3390
22 Chicago, Illinois 60603
Tel: 312.726.1092
23 Fax: 312.726.1093

24 *Attorneys for Plaintiffs and the Proposed Class*

25 DATED: September 8, 2015

26 By: *s/ Michael D. Slodov*
27 James K. Schultz (*pro hac vice*)
Michael D. Slodov (*pro hac vice*)
28 **SESSIONS FISHMAN, NATHAN & ISRAEL, L.L.C.**
Attorney for Defendant

SIGNATURE CERTIFICATION

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to counsel for Defendant, and that I have obtained its approval for his electronic signature to this document.

DATED: September 8, 2015

By: s/ J. Dominick Larry